



Maryland Department of Planning

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October 1, 2009

Brad Dyjak, Planner
Town of Myersville
PO Box 295
Myersville MD 21773

Re: Town of Myersville 2009 Draft Comprehensive Plan

Dear Mr. Dyjak:

Thank you for submitting the draft Town of Myersville Comprehensive Plan to the Maryland Department of Planning (MDP) for our review.

Overall the Plan is well written and will provide Myersville with an excellent guide for its future growth and development.

Again, thank you for the opportunity to review and comment on this Plan. Please do not hesitate to contact me or Jenny King at 410.767.4500 should you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Peter Conrad', is written over a light blue horizontal line.

Peter G. Conrad, AICP
Director of Local Government Assistance

Enclosure: Comments on the Town of Myersville 2009 Draft Comprehensive Plan, Municipal Growth Element Checklist

cc: Eric Soter, Director, Frederick County Planning & Zoning
Jason Dubow, Planner, WRE Coordinator
Jenny King, Regional Planner
Rich Josephson, Director, Planning Services
Rita Elliott, MDP Clearinghouse
File



**Maryland Department of Planning
Comments on the Myersville Draft Comprehensive Plan**

Purpose and Intent

Page 1-5 notes a 2007 population of 1,527 which conflicts with the chart on page 2-3 which states a 2007 population of 1,518.

Sensitive Areas

It is suggested that all of the language from Article 66B be included on page 3-3. The 2006 Legislative Session included changes to the sensitive areas element.

Page 3-6, Scenic Areas and Viewsheds: The policy could be strengthened to also state that viewsheds be incorporated into the subdivision regulations.

Page 3-7, Soils: The first policy states: "Annexation policies should encourage continued agricultural uses until development occurs." Consideration should be given to possibly combine this policy with the second policy which states: "Preservation of prime agricultural areas should be encouraged." These two policies could be linked with a "however" so that the reader will understand that AG uses should remain on properties until they may be developed but if prime soils exist then these properties regardless of development potential should be preserved.

Page 3-8, Historic Resources: Although historic resources are discussed later in the Plan, consideration should be made to expand this initial discussion of historic resources in Myersville. Some immediate questions that came to mind when reading this sections was-Is there a Commission? If not are there plans to form one?, Has the Town had its historic resources surveyed? The survey is discussed later in the Plan but there could be some basic facts presented in this section.

Land Use

Page 4-3, Existing Land Use: The Plan first mentions the R1-SG district which must be explained in this section in greater detail. Additionally all of the districts should be described.

Page 4-4: Table 3 does not have acreage for the R-1-SG district (not mentioned until page 5-11). Also, within the zoning section the Plan states that there is 301.44 acres of R-1 residential which is not commensurate with the land use acreage in Table 3. It is realized that often the land use and zoning are not coterminous but the Plan should discuss the differences. The second paragraph in the zoning section states that the R-1-SG zoning district "utilizes a slightly smaller lot size to meet State Smart Growth policies" –what does this mean? 3.5 du/acre?

Page 4-6, Subdivision Activity: The text states that 9 lots have been recorded which the reader should assume is for Saber Ridge? Table 5 is showing a difference of 10 lots for Saber Ridge.

Municipal Growth Element

Page 5-11, Annexation Policies: Number 2 briefly touches on who will pay for the necessary public facilities. HB1141 does require an examination of fiscal impacts and the identification of ways to finance future improvements. This section should be expanded to discuss fiscal impact for schools, library, public safety (police, fire, EMS), water, sewer, stormwater management systems, recreation facilities etc. It is advised that the Town review the attached Municipal Growth Element checklist to ensure that all areas of HB1141 are addressed.

Population Projections

- The Plan has adopted MDP's draft municipal projections for the year 2030, estimating an additional 910 people or 307 dwelling units by 2030. It would be helpful if the Plan included a discussion on why MDP's projections were used.
- The table on page 5-12 of the Plan estimates the Impacts of Infill/Redevelopment Growth on public facilities through 2030. The estimates in this table are based off of an increase 474 persons or 156 dwelling units, these figures do not match the projected population figures provided on page 5-6. Page 2-4 of the Plan states that 474 persons are actually projected between 2010 and 2020, which is based on the pipeline development. The impacts on infrastructure must be based on a 20 year horizon.
- The text discussion for population projection states that the average annual growth rate is 5 %, yet the chart states a 9% average annual growth rate.

Development Capacity Analysis, Growth Areas and Annexation

- While the Town has incorporated a Development Capacity analysis and population projections into the Plan; a discussion of the relationship between these two factors should be included. This will help determine if the proper balance between projected population and land supply exists. For example the Town should state that projections state a projected growth of "X" and the Town currently has capacity for "X", therefore the Town needs to annex enough land to accommodate the additional "X" people/households.
- It is very difficult to determine the total development capacity for the current corporate limits and growth area. The Plan would benefit from a detailed chart summarizing pipeline development, other infill and redevelopment potential in Town and capacity in the growth area. Currently the Plan states that there are 156 dwelling units in the pipeline and under current zoning a total capacity of 244 in Town (p. 4-7). Does the 244 include the Pipeline?

Additionally, the growth area is a total of 717 acres of which 550 acres are agriculture. Then the Plan states that a total of 410 acres are developable with a capacity of 158 dwelling units. The zoning of the growth area is estimated with a residential density of 12,000 sq ft lots. These figures do not add up, 158 dwelling units on 410 acres is low (p. 5-7-5-8). What is the total capacity of the growth area, how does this relate to the projected population and land needs?

General Comments

- On page 2-3 the text has the estimated population in “2009” are 1,530, the chart on the same page says “2008.”
- On page 2-4 the text and chart report that the total pipeline development is 159 dwelling units then on page 5-8 the text and discussion report different figures.
- It would be helpful if the maps/tables/charts are labeled in a chronological order; this will help to improve the navigability of the Plan.
- The Plan lacks an in-depth discussion of the future land use map. Including a discussion on this topic will help to develop the direction of the Town’s growth, and clarify how development patterns may change over time.
- It would be beneficial for the Town to include more information on funding mechanisms as the projected growth is estimated to impact infrastructure and services. Placing this information in a chart or table will make it easy to read and find, and may prove beneficial when developing the CIP.
- On Page 5-14: Under the section on Water and Sewer, the Plan states: “Sewerage capacity exists in the Myersville WWTP to serve existing development and anticipated new residential development as well as other infill sites, although there is not enough existing capacity for both residential and non-residential development.”

“Additional water and sewer capacity will be required during the planning period of 2010 to 2030 as water and sewer demand are each projected to increase by 254,220 as a result of residential and non-residential (commercial and/or industrial) infill and development.

The WRE states in Table 11: Projected Water Resources Needs to 2020 is based on residential demand. The gross additional water needed is 74,750 gpd. These numbers should be reconciled.

- Please see the comments in the Water Resources Element as they pertain to the table on page 5-12.
- There are a few areas in the Municipal Growth Element which omit gross floor area (pg. 5-11) and gallons per day (pg. 5-15). Also, there are many table numbers missing throughout the chapter.

Transportation

Page 6-5, Traffic Volumes: Provide a map or illustration depicting the Level of Service (LOS) data compiled in the Frederick County Traffic Study. The Plan should discuss which intersections are projected to be problematic in 2020. Reference these results as a reason for Transportation policy 1 *“the town will attempt to provide interconnect roads where possible to provide multiple access points.”*

Page 6-7, Pedestrian and Bicycle Movement: The sidewalk system is extremely important as a baseline mechanism of movement. As stated in the Plan, Myersville has a “discontinuous sidewalk system with some parts in need of repair”. Also stated in the Transportation section (page 6-4) is to

identify proposals needed to facilitate the movement of people. Upon reviewing the Transportation Policies (page 6-8), there is no mention of a strategic plan to repair the sidewalks. The Plan should discuss the improvement timeframes and funding sources for the proposed pedestrian and bicycle facilities.

Page 6-8, Transportation Policies: *A new interchange on I-70 in connection with a Middletown Bypass*. Any transportation facility improvements falling outside Priority Funding Areas should be consulted with Maryland Department of Planning. MDP encourages the Town to consider alternatives that would not have significant adverse impacts on the outside Priority Funding Areas or County designated Growth Areas.

Syntax Comments

- Transportation Policy 3 (page 6-8) – replace “Burger King” with a permanent geographical location.
- Transportation Policy 4 (page 6-8) – replace “state” with applicable state agency.
- Transportation Policy 10 (page 6-8) – replace “state” with applicable state agency.

Water Resources Element

The WRE is incomplete but would meet the requirements of HB1141 with recommended amendments. The most important amendments to include are in **bold**. The WRE does not yet effectively address the following purposes of the law and/or State guidance, as follows:

- Identify suitable receiving waters and land areas to meet the stormwater management and wastewater treatment and disposal needs of existing and future development proposed in the land use element of the plan, considering available data provided by MDE (Section 1.03(iii), Article 66B).
- The WRE should be drafted in a manner that supports the County water and sewerage plan (MDP M&G 26, pp. 18-19).
- Does the WRE estimate the future demand for water by reviewing population projections and associated commercial, industrial, and agricultural water demand (MDP M&G 26, p. 27).
- Does the WRE estimate the approximate number or range of additional households and associated commercial and industrial wastewater demand that could potentially be supported in the planning area (MDP M&G 26, p. 33).
- Does the WRE describe the alternative future development options for which nonpoint source and point source loading estimates were performed (MDP M&G 26, pp. 39-40).

Overall Comments

- Myersville should be commended for its thorough investigation of drinking water issues, possible drinking water sources, potential water supply, and source water protection issues.

- The comprehensive plan and WRE should use consistent figures for current water and sewer demand, as well as for current households. The following issues should be resolved:
 - The Community Facilities section indicates that current water use (residential and non-residential combined) is 115,000 GPD (p. 7-4); however, the WRE indicates that current water use (residential and non-residential combined) is 128,400 GPD (p. 8-9).
 - Estimated current water use (residential only) is presented in both the Community Facilities and WRE sections of 135,500 GPD (pp. 7-4, 8-9). Dividing this figure by the planning figure of 250 GPD results in 542 current residences in Myersville. However, no other section of the comprehensive plan notes that there are currently 542 residences in Myersville. The WRE indicates that there are currently 451 residences in Myersville (1,530 people/3.39 people per household) (p. 8-4). The section regarding the 135,500 GPD of demand can be removed. The 250 GPD per EDU planning figure is valuable for estimating future demand but isn't needed to estimate current demand when current water use is known.
 - The Community Facilities section indicates that current sewer flows (residential and non-residential combined) are 183,000 GPD (p. 7-4), but the WRE indicates that current sewer flows (residential and non-residential combined) are 187,273 GPD (p. 8-12).
- **The WRE should forecast future water and sewer demand for both residential and non-residential needs, not just residential needs (p. 8-4). Without including the forecasted non-residential water and sewer demand in the WRE, the Town cannot determine whether sufficient water and sewer capacity is available to implement the proposed land use plan.**
- On Page 8-6 the Plan states: "There is also the MDP policy that states that municipalities must develop under state Smart Growth policy, which prescribes higher densities for growth areas, while also identifying land resources to keep in permanent open space for their groundwater appropriations." The sentence is not accurate. MDP's smart growth policy is not based on "must" or require identifying resources for groundwater appropriations.
- **The WRE must include a statement that indicates whether sufficient water and sewer capacity is available to implement the proposed land use plan through the planning period. If the WRE determines that there is insufficient water and sewer capacity, the WRE should discuss measures to obtain additional water and sewer capacity or should discuss how the APFO will be used to prevent over-allocation of the remaining water/sewer capacity given the expected future demand. A last option would be to adjust the land use plan and/or proposed zoning to reduce the potential for future development to ensure future demand will not exceed remaining capacity.**
- The comprehensive plan and WRE also should use consistent figures for forecasted water and sewer demand as well as for water/sewer planning figures. The following issues should be resolved:

- The WRE forecasts a future additional residential water and sewer demand of 74,750 GPD through 2030 (p. 8-4). However, the MGE forecasts a future residential demand of 118,500 GPD through 2030 (p. 5-12).
- The MGE forecasts a future additional non-residential demand of 135,720 GPD through 2030; however, the WRE does not mention any potential non-residential demand.
- Table 11 of the WRE uses a 250 GPD per EDU estimate to forecast the demand for an additional 74,750 GPD of water and sewer (p. 8-4). However, since the Town uses 500 GPD and 1,000 GPD per EDU as an APFO requirement for each new residential and commercial water tap, respectively, when planning for additional water capacity needs, the Town might want to use these planning figures instead (for water demand only). The “Impacts of Infill/Redevelopment Growth” Table (p. 5-12) of the MGE estimates 118,500 GPD of additional water/sewer demand to support 156 additional residences—this uses a planning figure of about 760 GPD per EDU.
- **The WRE should include (or reference) maps that show the areas of the Town and its growth boundary that are currently planned for water and sewer service in the Frederick County Water and Sewerage Plan.** The WRE also should note whether an amendment to the Frederick County water and sewer plan is needed to designate any additional areas as planned for water and sewer service. Figures 14 and 15 both note that the maps will be updated when Frederick County updates its map which currently has incorrect information. This could be problematic for the Town plan if these changes are significant. The Plan should include finalized water and sewer service maps.

To ensure the adequacy of water supplies to support existing and future development as proposed in the land use plan, the Myersville WRE includes a demand forecast and notes remaining capacity (pp. 8-4, 8-9). The WRE also outlines source water protection measures (pp. 8-8, 8-17).

Comments on the water demand analysis

- Table 12 should clarify whether 412,000 GPD is the annual water production of the Town’s drinking water sources versus the town’s water treatment capacity. The Community Facilities chapter indicates that the Town’s water treatment capacity is 288,000 GPD (p. 7-4).

The WRE identifies the receiving waters affected by land use impacts (p. 8-4) and identifies the WWTP discharge point (p. 8-12). **The WRE does not yet discuss the suitability of receiving waters.**

Comments on the sewer demand analysis

- If the Town will need to expand its WWTP capacity to meet future demand, the WRE should mention that a point source cap (established under the Maryland Tributary Strategy) will limit how much expansion can be achieved. Contact MDE for more information on this issue.

Comments on identifying suitable receiving waters

- **The WRE should include a pollution forecast that is informed by the Town's proposed land use plan. The WRE should evaluate the pollution impacts from at least two different land use plan options and should recommend the land use plan with the least impact. The Town should work with Frederick County to complete this forecast. The pollution forecast currently in the WRE (p. 8-16) is based on previous land use plans (1997-2008) (p. 8-15) and not the proposed County or municipal land use plans.**
- **The WRE should discuss the suitability of the Town's receiving waters in the context of a pollution forecast. If there are no TMDLs for the town's receiving waters, the WRE should note this and indicate that suitability cannot yet be assessed. In addition, the WRE should discuss whether there are any Tier II waters that might be impacted through implementation of the City's land use plan.**

Municipal Growth Element Checklist

Town:
Date:

Page references pertain to the Municipal Growth Element Models and Guidelines

Included	Past Growth Patterns (pg. 7)	Reviewer Comments
	Change in developed acreage	
	Population change	
	Location of land use changes	
	Historical trends/issues	

Included	Population Projections/Future Land Needs (pgs. 7-11)	Reviewer Comments
	Population growth projections for horizon year of plan	
	Land needed to satisfy future demand	
	Future municipal growth areas (anticipated annexation areas)	
	Capacity of lands available for development (inc. infill & redevelop)	
	Anticipated capacity/zoning of future annexation areas	
	Relationship between projections and land capacity	

Included	Public Services & Infrastructure supply in relation to future demand	Reviewer Comments
	Public School Capacity (pgs. 12-13)	
	Library Services (pgs. 13-14)	
	Public Safety, medical response, police, fire (pgs. 14-15)	
	Water Facilities (pgs. 15-16)	
	Sewer Facilities (pgs. 15-16)	
	Stormwater Management Systems (pgs. 16-17)	
	Recreation facilities (MD standard 30 acres per 1,000 population) (pgs. 17-18)	
	Impacts of growth on infrastructure/services (pg. 20)	

Included	Resource Lands	Reviewer Comments
	Rural Buffers/Transition Areas- Pros/Cons (pgs. 18-20)	
	Impacts of growth on sensitive areas (pgs. 20-21)	
	Identify areas that may impede development (steep slope, flood plain...)	
	If applicable: Critical Area/Growth Allocation related to future growth	

Included	Future Vision (pg. 22)	Reviewer Comments
	Land Use Goals	
	Development Goals	
	Preservation Goals	
	Are the plans goals and visions consistent with long term policy?	

Included	Financing Mechanisms	Reviewer Comments
	Identify ways for financing future infrastructure improv. (developer, impact fees, taxes...) (pg. 18)	
	When possible identify associated costs with improvements (pg. 18)	